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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,309	03/07/2001	Raymond Severt Barsness	ROC920010075US1	2651

7590 06/23/2009  
IBM Corporation  
Intellectual Property Law, Dept. 917  
3605 Highway 52 North  
Rochester, MN 55901

EXAMINER
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DUONG, THOMAS

ART UNIT	PAPER NUMBER
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2445

MAIL DATE	DELIVERY MODE
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06/23/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

***Advisory Action  
After the Filing of an Appeal Brief***

Application No.

09/801,309

Examiner

Thomas Duong

Applicant(s)

BARSNESS ET AL.

Art Unit

2445

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

The reply filed 16 April 2009 is acknowledged.

1. ☐ The reply filed on or after the date of filing of an appeal brief, but prior to a final decision by the Board of Patent Appeals and Interferences, will not be entered because:

a. ☐ The amendment is not limited to canceling claims (where the cancellation does not affect the scope of any other pending claims) or rewriting dependent claims into independent form (no limitation of a dependent claim can be excluded in rewriting that claim). See 37 CFR 41.33(b) and (c).

b. ☐ The affidavit or other evidence is not timely filed before the filing of an appeal brief.  
See 37 CFR 41.33(d)(2).

2. ☐ The reply is not entered because it was not filed within the two month time period set forth in 37 CFR 41.39(b), 41.50(a)(2), or 41.50(b) (whichever is appropriate). Extensions of time under 37 CFR 1.136(a) are not available.

Note: This paragraph is for a reply filed in response to one of the following: (a) an examiner's answer that includes a new ground of rejection (37 CFR 41.39(a)(2)); (b) a supplemental examiner's answer written in response to a remand by the Board of Patent Appeals and Interferences for further consideration of rejection (37 CFR 41.50(a)(2)); or (c) a Board of Patent Appeals and Interferences decision that includes a new ground of rejection (37 CFR 41.50(b)).

3. ☒ The reply is entered. An explanation of the status of the claims after entry is below or attached.

4. ☒ Other:

Claims allowed: None

Claims objected to: None

Claims rejected: 13-17, 23, 25 and 27-36

Claims withdrawn from consideration: None

/VIVEK SRIVASTAVA/  
Supervisory Patent Examiner, Art Unit 2445